IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 28TH JUNE 2007 / 7TH ASHADHA 1929

WP(C).No. 10574 of 2007(H)

PETITIONER:

R.VELAYUDHAN, AGED 85, S/O.RAMANASSARY
R.V.BHAVANAM, P.O.RAMAPURAM BASAR, MEENACHIL,
PALA.

BY ADV. SRI.RAJIV NAMBISAN
SMT.R.PADMAKUMARI

RESPONDENTS:

---

1. SECRETARY, SERVICE CO-OPERATIVE BANK,
KIZHATHADIYOOR, MEENACHIL, PALA,
KOTTAYAM DT.

2. ASSISTANT REGISTRAR, CO-OPERATIVE
SOCIETY, MEENACHIL, PALA.

3. SPECIAL SALE OFFICER,
INSPECTOR OF CO-OPERATIVE SOCIETIES,
KIZHATHADIYOOR, S.C.B. LTD.

BY ADV. SRI.P.C.HARIDAS
BY GOVT. PLEADER SRI. RAVIKRISHNAN.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 28/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC. 10574/2007.

APPENDIX

PETITIONER'S EXTS:

EXT. P1 : THE TRUE COPY OF THE NOTICE OF PROCLAMATION OF SALE DATED 23.2.2007 ISSUED BY THE THIRD RESPONDENT.

EXT. P2 : TRUE COPY OF THE REQUEST DATED 12.3.07 FILED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.

K.M.JOSEPH, J.

- -

WP.(C) No.10574 of 2007

- -

Dated this the 28th day of June, 2007

JUDGMENT

Petitioner availed a loan. It was not repaid. Proceedings were initiated against the petitioner. Petitioner challenges Ext.P1 notice of proclamation of sale and seeks a direction to consider Ext.P2. Counsel for the petitioner prays for time to pay off the entire amount.

2. I heard counsel for the respondent Bank also.

The writ petition is disposed of permitting the petitioner to pay off the entire amount remaining to be paid with interest in five equal monthly instalments, the first of which shall be paid on or before 2.8.2007 and the succeeding instalments on or before the 2nd of the succeeding months. The respondent Bank will serve a statement on the petitioner within two weeks from today showing the amount payable by the petitioner as instalment on the basis that he has to clear it in five equal monthly instalments. If any of the instalment is not paid, the petitioner will loose the benefit of this judgment and it will be open to the Bank to proceed with the recovery against the petitioner in accordance with law.

(K.M. JOSEPH, JUDGE)

sb